

REMARKS

The rejection of Claims 1-26 under the judicially created doctrine of obviousness-type double patenting over Claims 1-16 of U.S. Patent No. 6,852,462 (US '462) is obviated by the Terminal Disclaimer filed concurrently herewith. Applicants kindly request that the Examiner withdraw this rejection.

It is noted that US '462 has an issue date of February 8, 2005, and is based on an application (US 10/286,816 (US '816)) that has a filing date of November 4, 2002. Accordingly, US '462 may qualify as prior art under 35 U.S.C. § 103(a)/102(e). However, it is believed that the 35 U.S.C. § 103(c) exclusion is applicable because the present application and US '462 are both assigned to Ricoh Co. Ltd.

It is also noted that US '816 published as US 2003/0152859 (US '859) on August 14, 2003. Accordingly, US '859 may qualify as prior art under 35 U.S.C. § 103(a)/102(a). However, Applicants note that the present application claims priority to JP 2003-011680, which was filed on January 20, 2003. Therefore, the priority date of the present application antedates the publication date of US '816.

Applicants believe that the present application is now in a condition for allowance. An early and favorable acknowledgement of the same is earnestly requested.

Respectfully submitted,

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